BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 94-712-C - ORDER NO. 95-1196/

JUNE 6, 1995

IN RE: Application of American ) ORDER GRANTING Communications Services, Inc. for ) PETITION TO Certificates of Public Convenience ) INTERVENE OUT and Necessity. ) OF TIME

This matter comes before the Public Service Commission of South Carolina (the Commission) on the May 30, 1995 Amended Petition to Intervene out of time filed by GTE South, Inc. (GTE or the Company). GTE states its belief that American Communications Services, Inc. (ACSI) is among the first competitive access providers in South Carolina to seek authority with this Commission. Currently, GTE is providing private line and special access services within its certificated service areas in South Carolina.

GTE states that, to the extent that ACSI's Application is granted, it will be in direct competition with GTE for the services. Since services of this type provide a significant contribution to GTE's intrastate revenue requirement, the approval of ACSI's request may have deleterious financial consequences for GTE, according to GTE.

GTE states that its request to intervene out of time in this docket is due to the fact that it had assumed that its interests would be protected through the intervention of the South Carolina Telephone Association (SCTA). SCTA has now moved to withdraw from this proceeding. Accordingly, GTE states that it is necessary for

GTE to participate in this docket to fully protect its interests.

GTE states that no party will be harmed or prejudiced by granting the Company's Petition, particularly, since it does not seek to change or amend the procedural schedule previously established in this docket. The Company therefore requests that the Commission issue an Order permitting it to participate in the proceeding as a full party of record, and to present evidence, to cross-examine adverse witnesses and with all other attendant rights thereto.

The Commission has examined this matter and believes that, under the circumstances, GTE should be allowed to intervene out of time. Clearly, it believed that its interests would be protected as long as the South Carolina Telephone Association was an Intervenor. Now that SCTA has moved to withdraw, the rights of GTE may not be protected by any of the present parties. GTE should, therefore, have the right to intervene to protect its own interests.

## IT IS THEREFORE ORDERED THAT:

1. The Amended Petition to Intervene of May 30, 1995, of GTE is hereby granted.

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2. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

ATTEST:

Executive Director

(SEAL)